

9
697-201-A
911760

IN THE UNITED STATES PATENT OFFICE

PATENT

CASE DOCKET NO. 2391-1-2

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231Prel Omdt
2/a

Dear Sir/Madam:

8-19-92
gh

This is a request for a

☐ Continuation

application under 37 C.F.R. 1.60,

☒ Divisional

of pending prior application Serial No. 07/580,778 filed on 9-11-90, of William R. Barclay for "Process For The Heterotrophic Production of Microbial Products With High Concentrations Of Omega-3 Highly Unsaturated Fatty Acids".

1. ☒ Enclosed is a copy of the prior application including Oath as originally filed and an affidavit or declaration verifying it as a true copy.
2. ☒ The filing fee is calculated below (claims as filed, less any claims canceled by amendment below):

	(COL. 1) NO. FILED			(COL. 2*) NO. EXTRA		SMALL ENTITY			LARGE ENTITY	
						RATE	FEE		RATE	FEE
BASIC FEE:							\$345.00	OR		\$690.00
TOTAL CLAIMS:	48	-	20		28	X \$10 =	\$280.00	OR	X \$20 =	\$
INDEP. CLAIMS:	5	-	3		2	X \$36 =	\$72.00	OR	X \$72 =	\$
MULTIPLE DEPENDENT CLAIMS						+ \$110 =	\$	OR	+ \$220 =	\$
*IF THE DIFFERENCE IN COL. 2 IS LESS THAN ZERO, ENTER "0" IN COL. 2.						TOTAL:	\$697.00			\$

3. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 19-1970. A duplicate copy of this sheet is enclosed.
4. ☒ A check in the amount of \$697.00 is enclosed. Please debit any underpayment or credit any overpayment to Account No. 19-1970. A duplicate copy of this sheet is enclosed.
5. ☐ Cancel in this application original Claim of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

6. ☒ Amend the specification by substituting in the "Cross Reference to Related Applications" the sentence: "This is a divisional of application Serial No. 07/580,778, filed 9-11-90, which application is a continuation-in-part of copending and commonly assigned U.S. Patent Application Serial No. 07/439,093, filed November 17, 1989, and entitled "Process for Heterotrophic Production of Microbial Products with High Concentrations of Omega-3 Highly Unsaturated Fatty Acids" which is incorporated herein in its entirety by reference and is a continuation-in-part of U.S. Patent Application Serial No. 07/241,410, filed September 7, 1988, and entitled "Process for Heterotrophic Production of Microbial Products with High Concentrations of Omega-3 Highly Unsaturated Fatty Acids" which was previously expressly abandoned." *now U.S. Patent No. 5,130,242, now abandoned*

7. ☒ The prior application is assigned to Phycotech, Inc.
8. ☐ Priority under 35 U.S.C. 119 of the following foreign application is claimed in, has been assigned Serial No. and was filed on.
9. ☒ The Power of Attorney:
- a. ☒ is in the original papers of the prior application.
- b. ☐ does not appear in the original papers and a copy of the Power of Attorney in the prior application is enclosed.

"EXPRESS MAIL" MAILING LABEL NUMBER: FB 537868881
DATE OF DEPOSIT: July 10, 1992

I HEREBY CERTIFY THAT THIS NEW APPLICATION AND THE DOCUMENTS REFERRED TO AS ENCLOSED THEREIN ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: Connie Larson

SIGNATURE: *Connie Larson*


72

10. ☒ A Preliminary Amendment is enclosed.
11. ☐ A petition, fee and response has been filed to extend the term in the pending prior application until .
12. ☐ Transfer the drawings from the prior application to this application and, subject to item 13 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application.
- ☐ Transfer the following sheet(s) of drawing from the prior application to this application .
- ☒ New drawings are enclosed (☐ Formal, ☒ Informal).
13. ☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application co-pending with said prior application.
14. ☒ Small entity status is still proper and is requested based upon the verified statement in the prior application.
15. ☒ I hereby verify that the attached papers are a true copy of prior application Serial No. 07/580,778 as originally filed on 9-11-90.

The undersigned declares further that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The Commissioner is hereby authorized to submit all correspondence relating to this case to the below named attorney or agent.

By:


Gary J. Connell
Registration No. 32,020 2
1700 Lincoln Street
Suite 3500
Denver, Colorado 80203
(303) 863-9798

Date:

July 10, 1992

- ☐ Inventor
☐ Assignee of complete interest
☒ Attorney or agent of record
☐ Filed under Rule 34(a)

2391\ -15.div\ev\cl